

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	Brian Alan Grove et al.	Examiner:	Yogesh Garg
Serial No.:	10/750,052	Group Art Unit:	3625
Filed:	December 30, 2003	Docket No.:	2043.036US1
Customer No.:	49845	Confirmation No.:	9104
Title:	METHOD AND SYSTEM TO ADJUST A SELLER FIXED PRICE OFFER		

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**PETITION TO REVIVE APPLICATION UNDER 37 C.F.R. 1.137(b)**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Appellants respectfully request the revival of the above-identified patent application under 37 C.F.R. § 1.137(b) as being UNINTENTIONALLY abandoned for failure to properly reply to the Appeal Decision mailed September 25, 2009. Further, this Petition to Revive is being sent in response to the Appeal Decision, accompanied by a Request for Continued Examination (RCE) and a Request to Reopen Prosecution and Amendment under 37 C.F.R. 1.111 (previously filed on November 25, 2009).

The entire delay in filing the present reply from the due date for the reply until filing of the petition and enclosed Request for Continued Examination (RCE) and a Request to Reopen Prosecution and Amendment under 37 C.F.R. 1.111 was UNINTENTIONAL.

The Commissioner is authorized to charge the Petition Fee of \$1620.00 due under 37 C.F.R. § 1.17(m), and any other fees which may be due to Deposit Account 19-0743.

A notification that the Petition is accepted and that the above-referenced Patent Application is revived is respectfully requested.

CONCLUSION

Applicant respectfully requests that the petition be granted by the Commissioner. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(408) 660-2014

Date 17 February 2010

By

Nathan P. Elder

Nathan P. Elder

Reg. No. 55,150

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17th day of February, 2010.

Chris Bartl

Name

C. Bartl  
Signature